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7 *Attorneys for Plaintiff*  
*JPMorgan Chase Bank, N.A.*  
 8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 JPMORGAN CHASE BANK, N.A.,

12 Plaintiff,

13 vs.

14 WILDCREEK GARDEN  
 15 CONDOMINIUMS ASSOCIATION

16 Defendant,

Case No. 2:16-cv-0178-GMN-CWH

**STIPULATION AND ORDER  
 QUIETING TITLE**

17 Plaintiff JPMorgan Chase Bank N.A. ("Chase"), by and through its counsel of  
 18 record, Ballard Spahr, LLP, and Defendant Wildcreek Garden Condominiums  
 19 Association ("Wildcreek"), by and through its counsel of record, Walsh, Baker &  
 20 Rosevear, stipulate and agree as follows:

21 1. On or about September 20, 2005, a deed of trust securing a loan in the  
 22 amount of \$97,600.00 was recorded in the Official Records of Washoe County as  
 23 Document Number 3279818 (the "Deed of Trust") against that certain real property  
 24 commonly described as 3916 Clear Acre Lane, Unit 71, Reno, Nevada, 89502, (APN  
 25 026-052-04) (the "Property") and more specifically described as:

26 UNIT 71 IN BLOCK A OF WILDCREEK GARDEN CONDOMINIUMS, A CONDOMINIUM,  
 27 ACCORDING TO THE MAP THEREOF FILED IN THE OFFICE OF THE COUNTY  
 28 RECORDER OF WASHOE COUNTY, STATE OF NEVADA, ON DECEMBER 31, 1981, AS  
 DOCUMENT NO. 775164, AND BEING TRACT MAP NO. 2030, AND CERTIFICATE OF

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 LAS VEGAS, NEVADA 89106  
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1 AMENDMENT, RECORDED JULY 8, 1983, IN BOOK 1888, PAGE 870, DOCUMENT NO.  
2 865506, OFFICIAL RECORDS.

3 TOGETHER WITH AN UNDIVIDED 1/312TH INTEREST IN AND TO ALL OF THE  
4 COMMON AREA, AS SHOWN ON SAID MAP.

5 2. On or about August 4, 2011 a Notice of Delinquent Assessment  
6 ("Wildcreek Notice of Assessment") was recorded under the direction of Wildcreek as  
7 Document Number 4028601 in the Official Records of Washoe County.

8 3. On or about September 13, 2011, a Notice of Default and Election to Sell  
9 Under Homeowners Association Lien ("Wildcreek Notice of Default") was recorded  
10 under the direction of Wildcreek as Document Number 4040172 in the Official  
11 Records of Washoe County.

12 4. On or about November 17, 2011, Mortgage Electronic Registration  
13 Systems, Inc. (as beneficiary in a nominee capacity for the original lender, Bell Home  
14 Loans, Inc.), recorded as Document Number 4059556 in the Official Records of  
15 Washoe County an assignment of the Deed of Trust to Chase, with Chase acting as  
16 loan servicer for the Federal Home Loan Mortgage Corporation ("FHLMC").

17 5. On or about January 30, 2012, Wildcreek caused the Property to be sold  
18 (the "HOA Foreclosure Sale"), and a Foreclosure Deed Upon Sale recorded on  
19 February 9, 2012, as Document Number 4083120 in the Official Records of Washoe  
20 County (the "Wildcreek Deed") recites that Wildcreek purchased the Property at the  
21 HOA Foreclosure Sale with an amount paid of \$2,788.09.

22 6. On or about March 10, 2014, an Assignment of Deed of Trust was  
23 recorded as Document Number 4333120 in the Official Records of Washoe County  
24 reflecting an assignment of the Deed of Trust from Chase to FHLMC.

25 7. According to the Trustee's Deed Upon Sale recorded as Document  
26 Number 4335212 in the Official Records of Washoe County on March 17, 2014,  
27 Cooper Castle Law Firm, LLP, as duly appointed trustee under the Deed of Trust,  
28 caused the Property to be sold in foreclosure of the Deed of Trust, at which sale (the

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1 "DOT Foreclosure Sale") FHLMC was the purchaser of the Property, with an amount  
2 paid of \$35,183.59.

3 8. Wildcreek agrees to a rescission of the Wildcreek Deed attached hereto  
4 as "Exhibit A," and requests a court order declaring that the Wildcreek Deed is void  
5 and of no further force and effect.

6 9. Wildcreek hereby disclaims all right, title, or interest in the Property as  
7 a result of the HOA Foreclosure Sale and the Wildcreek Deed, and consents to the  
8 quieting and vesting of title to the Property in FHLMC as the purchaser of the  
9 Property at the DOT Foreclosure Sale.

10 10. This lawsuit shall be dismissed, with prejudice, with each party to bear  
11 its own attorney's fees and costs that were incurred in connection therewith.

12 Dated: August 30, 2016

13  
14 BALLARD SPAHR LLP

15 By: 

16 Abran E. Vigil  
17 Nevada Bar No. 7548  
18 Holly Ann Priest  
19 Nevada Bar No. 13226  
100 N. City Parkway, Suite 1750  
Las Vegas, Nevada 89106  
*Attorneys for Plaintiff JPMorgan  
Chase Bank, N.A.*

WALSH, BAKER & ROSEYEAR

By: 

James Walsh  
Nevada Bar No. 796  
9468 Double R Blvd., Suite A  
Reno, Nevada 89521  
*Attorney for Defendant Wildcreek  
Garden Condominiums Association*

20  
21 **ORDER**

22 IT IS SO ORDERED.

23  
24   
UNITED STATES DISTRICT JUDGE

25 DATED: September 7, 2016

BALLARD SPAHR LLP  
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“EXHIBIT A”

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APN # 026-052-04

When recorded, return to:  
JPMorgan Chase Bank, N.A.  
3415 Vision Drive  
Columbus, OH 43219-6009

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## RESCISSION OF FORECLOSURE DEED

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### THE UNDERSIGNED HEREBY DECLARES:

1. On August 4, 2011, Wildcreek Garden Condominiums Association ("Undersigned"), through its Authorized Agent, caused a Notice of Delinquent Assessment ("Lien") to be recorded as Document No. 4028601 in the official records of Washoe County, Nevada, pursuant to the Declaration of Covenants, Conditions, and Restrictions of the Undersigned recorded on July 13, 1983, in Book No. 1890, Page 695 as Document No. 866394 in the Official Records of Washoe County Nevada, and any subsequent modifications or amendments thereto.
2. On or about January 30, 2012, the Undersigned, through its Authorized Agent, foreclosed upon the Lien and caused a Foreclosure Deed Upon Sale to be recorded on February 9, 2012, as Document No. 4083120 in the official records of Washoe County, Nevada (the "Foreclosure Deed"). A copy of the Foreclosure Deed is attached hereto as Exhibit A.
3. The Undersigned hereby cancels and rescinds the Foreclosure Deed to the same extent and effect as if the Foreclosure Deed had never been issued and recorded. The express purpose of this rescission is to return the priority and existence of all title and lienholders to the status quo-ante as existed prior to the foreclosure sale and the execution of the Foreclosure Deed.
4. The Undersigned did not accept delivery of the Foreclosure Deed and rejects the Foreclosure Deed.

5. The Undersigned hereby recognizes and reaffirms that through this rescission, the following Deed of Trust would have retained its previous lien position upon said real property:

Dated: September 20, 2005

Grantor: Dominic S. Grossi, a married man as his sole and separate property

Original Trustee: First American Title Company of Nevada

Original Beneficiary: Bell Home Loans, Inc.

Recorded: September 20, 2005, Document No. 3279818 in the Official Records of Washoe County, Nevada

Dated: 8/25/16

Wildcreek Garden Condominiums Association

[Signature]

By: KEVIN SIGSTAD

Its: PRESIDENT

STATE OF Nevada )  
 ) ss.  
COUNTY OF Washoe )

This instrument was acknowledged before me on the 25 day of August, 2016, by Kevin Sigstad, as the authorized representative of Wildcreek Garden Condominiums Association.

[Signature]  
Notary Public

My Commission Expires on: 12-17-18

